

RESPONSE UNDER 37 C.F.R. § 1.116
EXPEDITED PROCEDURE – Art Unit 1742
Attorney Docket No. 29195-8181US3
SEMITOOL REF NO. P96-0010US4

REMARKS

The present amendment cancels claims 16-26, amends claim 8, and adds new claim 27. Claims 18-26 were withdrawn from consideration by the Examiner in the 26 August 2003 Office Action. Claims 18-26 have been canceled to place the application in condition for allowance, but the undersigned reserves the right to pursue the subject matter of these claims in a continuing application.

In the outstanding Office Action, the Examiner objected to claims 16 and 17, but indicated they would be allowable if presented in independent form. Claim 8, as amended, generally corresponds to prior claim 16 and new claim 27 generally corresponds to prior claim 17. Accordingly, independent claims 8 and 27 and dependent claims 9-13 are believed to be in condition for allowance.

The Examiner also rejected claims 14 and 15 under the first paragraph of 35 U.S.C. § 112, arguing that the "specification does not enable any person skilled in the art . . . to practice the invention commensurate in scope with these claims." In making this rejection, the Examiner acknowledges that the specification provides adequate enablement for electrochemical processing. He also acknowledges that the specification provides a description of one suitable embodiment in which the processing employs an electrolyte.

Claim 14 calls for placing the workpiece into contact with an electrolyte and providing electrical power to a contact and an anode disposed in electrical contact with the electrolyte to thereby electroplate metal on the workpiece. This would certainly seem to fall within the gambit of what the Examiner acknowledges is enabled by the specification. Claim 15 includes analogous limitations, so the undersigned respectfully submits that both claim 14 and claim 15 meet the threshold requirements of § 112, first paragraph.

In view of the foregoing, the claims pending in the application comply with the requirements of 35 U.S.C. § 112 and patentably define over the applied art. Because the present amendment will place the application in condition for allowance, entry of this

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amendment despite finality of the outstanding Office Action is appropriate under 37 C.F.R. § 1.116. A Notice of Allowance is, therefore, respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-3848.

Respectfully submitted,

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